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10/063,944	05/28/2002	Ming-Chih Chang	IEIP0001USA	2393

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NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION
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EXAMINER

MONTOYA, OSCHTA I

ART UNIT	PAPER NUMBER
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2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/063,944	Applicant(s) CHANG, MING-CHIH	
	Examiner Oschta Montoya	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 3, 4, 7, 8, 9, 10, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Elliot et al, US 6,442,328.

Regarding claim 1, a broadcasting apparatus used in a computer system, comprising:

a receiver (112-figure 2) for receiving signals transmitted from a network (Col. 5, lines 18-20);

a control circuit (113, 114, 140) for generating a broadcasting audio signal based on the signals transmitted from the receiver (Col. 5, lines 22-44); and

an audio data stream controller (150) electrically connected to the control circuit and an audio device (200) for generating a sound signal according to the broadcasting audio signal and an audio signal generated by the audio device (Col. 5, lines 43-49), and then transmitting the sound signal to a speaker (Col. 5, lines 65-67, Col. 6, lines 1-5).

Regarding claim 2, the broadcasting apparatus of claim 1 wherein the audio data stream controller is a mixer (150) for mixing the audio signal and the broadcasting audio signal to generate the sound signal (multiplexer (150) is effectively a mixer because it has two input and produces one output, Col. 5, lines 43-49, Col. 7, lines 3-8).

Regarding claim 3, the broadcasting apparatus of claim 1, wherein the audio data stream controller is a multiplexer (150), which generates the sound signal only according to the broadcasting audio signal while receiving the broadcasting audio signal from the control circuit, and generates the sound signal only according to the audio signal when the control circuit stop generating the broadcasting audio signal (when the user presses the playback button audio from the audio device (200) is generated and the sound signal is generated according to this signal, Col. 5, lines 43-49, Col. 7, lines 3-8).

Regarding claim 4, the broadcasting apparatus of claim 1, wherein the audio data stream controller (150) generates the sound signal only according to the broadcasting audio signal when there is no audio signal transmitted to the audio data

stream controller (the broadcast audio signal generates the sound signal when there is no signal from the audio device, Col. 5, lines 43-49).

Regarding claim 7, a broadcasting apparatus used in a computer system, comprising:
a receiver for receiving signals transmitted from a network (112, Col. 5, lines 18-20);
a control circuit for generating a broadcasting video signal based on the signals transmitted from the receiver (113, 114, 140, Col. 5, lines 22-44); and
a video data stream controller electrically connected to the control circuit and a video device (200) for generating a graphic signal according to the broadcasting video signal and a video signal generated by the video device (Col. 5, lines 43-49), and then transmitting the graphic signal to a monitor (Col. 5, lines 65-67, Col. 6, lines 1-5).

Regarding claim 8, the broadcasting apparatus of claim 7, wherein the video data stream controller is a mixer for mixing the video signal and the broadcasting video signal to generate the graphic signal (multiplexer (150) is effectively a mixer

Art Unit: 2623

because it has two inputs and produces one output, Col. 5, lines 43-49, Col. 7, lines 3-8).

Regarding claim 9, the broadcasting apparatus of claim 7, wherein the video data stream controller is a multiplexer (150), which generates the graphic signal only according to the broadcasting video signal while receiving the broadcasting video signal from the control circuit, and generates the graphic signal only according to the video signal when the control circuit stop generating the broadcasting video signal (when the user presses the playback button video from the video device (200) is generated and the graphics signal is generated according to this signal, Col. 5, lines 43-49, Col. 7, lines 3-8).

Regarding claim 10, the broadcasting apparatus of claim 7, wherein the video data stream controller (150) generates the graphic signal only according to the broadcasting video signal when there is no video signal transmitted to the video data stream controller (the broadcast video signal generates the graphics signal when there is no signal from the video device Col. 5, lines 43-49).

Regarding claim 13, a broadcasting apparatus used in a computer system comprising:

a receiver for receiving signals transmitted from a network (112, Col. 5, lines 18-20);

a control circuit (113, 114, 140) for generating a broadcasting audio signal and a broadcasting video signal based on the signals transmitted from the receiver (Col. 5, lines 22-44);

an audio data stream controller (150) electrically connected to the control circuit and an audio device (200) for generating a sound signal according to the broadcasting audio signal and an audio signal generated by the audio device, and transmitting the sound signal to a speaker (300, Col. 5, lines 65-67, Col. 6, lines 1-5); and

a video data stream controller (150) electrically connected to the control circuit and a video device (200) for generating a graphic signal according to the broadcasting video signal and a video signal generated by the video device, and then transmitting the graphic signal to a monitor (300, Col. 5, lines 65-67, Col. 6, lines 1-5).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2623

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 5, 7, 11, 13, 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Hylton et al, US 5,613,191.

Regarding claim 1, a broadcasting apparatus used in a computer system, comprising:

a receiver (1216 - figure 9) for receiving signals transmitted from a network (Col. 31, lines 20-28);

a control circuit (827) for generating a broadcasting audio signal based on the signals transmitted from the receiver (Col. 31, lines 28-37); and

an audio data stream controller (831) electrically connected to the control circuit and an audio device (835R and 835L) for generating a sound signal according to the broadcasting audio signal and an audio signal generated by the audio device (Col. 31, lines 37-41) , and then transmitting the sound signal to a speaker (a speaker is inherently connected to the left and right audio output, Col. 32, lines 38-47).

Regarding claim 5, the broadcasting apparatus of claim 1, wherein the receiver is electrically connected to a network interface, and the receiver is capable of transmitting

Art Unit: 2623

signals to the network interface and receiving signals transmitted from the network interface (Col. 31, lines 30-35).

Regarding claim 7, a broadcasting apparatus used in a computer system, comprising:
a receiver for receiving signals transmitted from a network (fig 9, 1216, Col. 31, lines 20-28);
a control circuit for generating a broadcasting video signal based on the signals transmitted from the receiver (827, Col. 31, lines 28-37); and
a video data stream controller (829, 833) electrically connected to the control circuit and a video device (835) for generating a graphic signal according to the broadcasting video signal and a video signal generated by the video device (Col. 31, lines 37-41), and then transmitting the graphic signal to a monitor (Col. 32, lines 47-59).

Regarding claim 11, the broadcasting apparatus of claim 7, wherein the receiver is electrically connected to a network interface, and the receiver is capable of transmitting signals to the network interface and receiving signals transmitted from the network interface (Col. 31, lines 30-35).

Regarding claim 13, a broadcasting apparatus used in a computer system comprising:

- a receiver for receiving signals transmitted from a network (fig 9, 1216, Col. 31, lines 20-28);
- a control circuit for generating a broadcasting audio signal and a broadcasting video signal based on the signals transmitted from the receiver (827, Col. 31, lines 28-37);
- an audio data stream controller (831) electrically connected to the control circuit and an audio device (835R and 835L) for generating a sound signal according to the broadcasting audio signal and an audio signal generated by the audio device (Col. 31, lines 37-41), and transmitting the sound signal to a speaker (a speaker is inherently connected to the left and right audio output, Col. 32, lines 38-47); and
- a video data stream controller (829, 833) electrically connected to the control circuit and a video device (835) for generating a graphic signal according to the broadcasting video signal and a video signal generated by the video device (Col. 31, lines 37-41), and then transmitting the graphic signal to a monitor (Col. 32, lines 47-59).

Regarding claim 14, the broadcasting apparatus of claim 13 wherein the receiver is electrically connected to a network

interface, and the receiver is capable of transmitting signals to the network interface and receiving signals transmitted from the network interface (Col. 31, lines 30-35).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6, 12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliot et al, US 6,442,328, in view of Beller et al, US 5,802,449.

Regarding claim 6, Elliot teaches the broadcasting apparatus of claim 1.

Elliot fails to teach that the control circuit stores a first address for comparing with a destination address of the signal transmitted from the receiver, and generates the broadcasting audio signal corresponding to the signal transmitted from the receiver when the destination address is identical to the first address.

In an analogous art, Beller teaches the use of addresses to ensure the proper delivery of data (Col. 3, lines 25-40).

Art Unit: 2623

Therefore, it would have been obvious to one of ordinary skill in the art to modify Elliot's apparatus to include the comparing of the address to ensure proper delivery of data. The motivation would have been to a more secure apparatus.

Claims 12 and 15 are rejected on the same grounds as claim 6.


Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oshta Montoya whose telephone number is (571) 270-1192. The examiner can normally be reached on Monday/Friday 7:30 to 5:00 off every other friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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